	1	CHARLENE M. MORROW (CSB NO. 136411)						
	2	cmorrow@fenwick.com VIRGINIA K. DEMARCHI (CSB NO. 168633)						
	3	vdemarchi@fenwick.com KIMBERLY I. CULP (CSB NO. 238839) kculp@fenwick.com SALAM RAFEEDIE (CSB NO. 250191) srafeedie@fenwick.com FENWICK & WEST LLP Silicon Valley Center 801 California Street						
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	7	Mountain View, CA 94041 Telephone: (650) 988-8500 Facsimile: (650) 938-5200						
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	9	Attorneys for Plaintiff JOBY, INC.						
	10							
	11	UNITED STATES DISTRICT COURT						
	12	NORTHERN DISTRICT OF CALIFORNIA						
LAW	13	SAN FRANCISCO DIVISION						
ATTORNEYS AT LAW MOUNTAIN VIEW	14							
ATTO	15	JOBY, INC.,	Case No. 3:07-CV-06455 (SI)  DECLARATION OF VIRGINIA K. DEMARCHI IN SUPPORT OF JOBY, INC.'S REQUEST FOR JUDICIAL					
•	16	Plaintiff,						
	17	v.						
	18	TOCAD AMERICA, INC.,	NOTICE AND MOTION TO DISMISS					
	19	Defendant.	Time: 9:00 a.m.					
	20	Courtroom: 10, 19th Floor The Honorable Susan Ille						
	21							
	22	I, Virginia K. DeMarchi, hereby declare:						
	23	I am an attorney duly admitted to practice in California and before this Court. I						
	24	am an attorney at the law firm of Fenwick & West, LLP in Mountain View, California, and have						
	25	been retained as counsel for Plaintiff Joby, Inc. ("Joby"), in the above-captioned action. Unless						
	26	otherwise noted, I make this declaration of my own personal knowledge and, if called as a						
	27	witness, I could and would testify competently to the facts set forth herein.						
	28	withess, I could and would testify competently to the facts set forth herein.						
		DeMarchi Decl. in Support of Joby's Request for Judicial N Case No. 3:07-CV-06455 (SI)	Notice & Mtn to Dis	MISS 1				

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2	2.	Attached as <b>Exhibit A</b> is a true and correct copy of the Information Disclosure
Stateme	nt for	Patent Application No. 11/324,994 (Publication No. 20070154254) including
JoeBen	Bevirt	e's Declaration dated November 21, 2006, filed by Joby with the U.S. Patent and
Tradema	ark Of	fice ("PTO").

- 3. Attached as **Exhibit B** is the final office action issued by the PTO on January 25, 2008 rejecting the pending claims of Patent Application No. 11/324,994 (Publication No. 20070154254).
- 4. Attached as **Exhibit C** is the response to the final rejection and request for continuing examination for Patent Application No. 11/324,994 (Publication No. 20070154254), filed by Joby with the PTO on April 18, 2008.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 30, 2008 at Mountain View, California.

/s/Virginia K. DeMarchi Virginia K. DeMarchi